IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 34080 of 2007(F)

PETITIONER:

NEJO THOMAS, S/O. THOMAS THOMAS,
AGED 24 YEARS, CHANGAZHASSERIL HOUSE,
MANGALAGIRI, TEEKOY P.O., MEENACHIL TALUK,
KOTTAYAM DISTRICT, PIN-686 580.

BY ADV. SRI.BIMAL K.NATH
SRI.S.JAMAL
SRI.E.M.SUNIL KUMAR
SRI.SREEVALSAN.V
SMT.SMITHA DIVAKARAN

RESPONDENTS:
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1. THE KOTTAYAM DISTRICT CO-OPERATIVE BANK, KOTTAYAM, REP. BY ITS GENERAL MANAGER.

2. THE DISTRICT COLLECTOR, KOTTAYAM.

BY ADV. SRI.SUNIL CYRIAC,SC,DIST.CO-OP,BANK,KTM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO.34080 OF 2007 F
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Dated this the 19th day of November, 2007

J U D G M E N T

Proceedings initiated against the petitioner under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is under challenge. Ext.P1 is a notice under Section 13(2) of which the petitioner has submitted Ext.P3 reply.

2. The main contention appears to be that the land in question is an agricultural land and hence is exempted under the provisions of the said Act. Petitioner also relies on Ext.P2, a certificate issued by the Agricultural Officer, Thalanadu.

3. Now that in response to Ext.P1, petitioner has submitted Ext.P3 producing Ext.P2, it is incumbent upon the 1st respondent to consider the petition and pass orders thereon. This the respondents shall do, as expeditiously as possible, at any rate within three weeks of receipt of a copy of this judgment.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

Rp